

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

JANE DOE

Plaintiff,

v.

Case No. 1:11 CV 1105

LINDA HOWARD
RUSSELL HOWARD

Defendants.

PLAINTIFF'S MOTION FOR LEAVE TO FILE PRETRIAL BRIEF

Plaintiff Jane Doe hereby respectfully requests the Court's leave to file a pretrial brief no longer than 30 pages, exclusive of affidavits and supporting documentation, that will address certain questions of law and fact that are likely to arise at the trial in this case. In support of this Motion, Plaintiff states as follows.

A bench trial is scheduled to begin in this case on August 8, 2012 (Docket No. 102). Before or contemporaneously with the start of trial, Plaintiff intends to move for default judgment on liability against both defendants, Russell Howard and Linda Howard. As explained in Plaintiff's previous filings, Russell Howard has defaulted by failing to answer Plaintiff's Complaint or to otherwise defend himself in this action (Docket No. 80). Linda Howard has similarly defaulted by failing to appear for her deposition, produce requested documents, answer Plaintiff's interrogatories, or otherwise cooperate in discovery, in direct violation of this Court's

discovery orders (Docket No. 104). The Court has accordingly struck Linda Howard's Answer in this case (Docket No. 106). Plaintiff therefore believes that the August 8, 2012 trial will focus primarily on the issue of damages.

At the final pretrial conference in this case, the Court informed counsel that Plaintiff was not required to file a pretrial brief. Given the somewhat novel issues presented in calculating damages under the Trafficking Victims Protection Act of 2000, however, Plaintiff's counsel believes that a pretrial brief may assist the Court during trial. Plaintiff therefore requests leave of the Court to file a pretrial brief by no later than August 1, 2012, that will comply with the formatting requirements set forth Local Civil Rule 7(F)(3), and that shall not exceed thirty double-spaced pages, exclusive of affidavits and supporting documentation.

Respectfully submitted,

Dated: July 20, 2012

By: /s/ Daniel E. Chudd

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Counsel for Plaintiff Jane Doe

CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2012, a true and correct copy of the foregoing Motion For Leave To File Pretrial Brief was electronically filed. As such, this notice was served on all parties who are deemed to have consented to electronic service. On July 20, 2012, I also caused to be served by electronic mail and by U.S. Mail, a copy of the Motion For Leave To File Pretrial Brief upon the following:

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